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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THOMAS GREGORY PAUL,

Plaintiff,

v.

LAMERE et al.,

Defendants.

3:18-cv-00039-MMD-VPC

ORDER

I. DISCUSSION

Plaintiff, who is an inmate in the custody of the Washoe County Detention Facility, has filed an application to proceed *in forma pauperis*. (ECF No. 1). Plaintiff has not filed a complaint in this matter.

Pursuant to Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff thirty (30) days from the date of this order to submit a complaint to this Court.

Additionally, Plaintiff’s application to proceed *in forma pauperis* is incomplete. Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted a properly executed financial certificate or an inmate account statement. (See ECF No. 1). As such, the *in forma pauperis* application is denied without prejudice. Plaintiff will be granted an opportunity to cure the deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file a new application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

1      II.    CONCLUSION

2      For the foregoing reasons, IT IS ORDERED that Plaintiff shall submit a complaint to this  
3      Court within thirty (30) days from the date of this order.

4      IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the  
5      approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same.

6      IT IS FURTHER ORDERED that Plaintiff's application to proceed *in forma pauperis*  
7      (ECF No. 1) is DENIED without prejudice to file a new application.

8      IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the  
9      approved form application to proceed *in forma pauperis* by a prisoner, as well as the document  
10     entitled information and instructions for filing an *in forma pauperis* application.

11     IT IS FURTHER ORDERED that within thirty (30) days from the date of this order,  
12     Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the  
13     correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or  
14     (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50  
15     administrative fee).

16     IT IS FURTHER ORDERED that, if Plaintiff does not timely comply with this order,  
17     dismissal of this action may result.

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19     DATED: This 24<sup>th</sup> day of January 2018.

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22     United States Magistrate Judge

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